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Attorney for Everardo Hernandez

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	
)	No. 2:05-cr-0095-MCE
Plaintiff,)	
)	
vs.)	STIPULATION RE: CONTINUANCE OF
)	HEARING ON STATUS CONFERENCE
EVERARDO HERNANDEZ,)	
)	DATE: March 13, 2007
)	Time: 8:30 a.m.
)	Hon. Morrison C. England
<u>Defendant.</u>)	

It is hereby stipulated by and between the UNITED STATES OF AMERICA, by and through, Phillip Talbert, Assistant United States Attorney, GEORGE PAUL TREJO, JR., counsel for defendant Everardo Hernandez, that the hearing on Status Conference currently set for February 27, 2007, be vacated and reset for March 13, 2007 at 8:30 a.m.

The continuance of the status conference is necessary because the defense has a conflict with a Federal Sentencing in the Eastern District of Washington.

Accordingly, the parties jointly request a new status conference date and that the time period from February 27, 2007, to and including March 13, 2007 be excluded under the Speedy Trial Act pursuant to 18 U.S.C. §3161(h)(8)(B)(iv) and Local Code T4 for defense preparation and continuity of counsel on a finding by the Court that the ends of justice served by granting a continuance outweigh the best interest of the public and defendant in a speedy trial.

McGregor W. Scott
United States Attorney

s/Phillip Talbert
PHILLIP TALBERT
Assistant United States Attorney

THE TREJO LAW FIRM


s/George Paul Trejo, Jr
GEORGE PAUL TREJO, JR.
Counsel for Everardo Hernandez

IT IS SO ORDERED

The court having reviewed the records and files herein and considered the stipulation of the parties, IT IS HEREBY ORDERED:

1. The stipulation for a continuance of Status Conference is GRANTED. The Status Conference presently set for February 27, 2007 is hereby continued to March 13, 2007 at 8:30 a.m.
2. Time is excluded from February 27, 2007, to and including March 13, 2007 under the Speedy Trial Act pursuant to 18 U.S.C. §3161(h)(8)(B)(iv) and Local Code T4 for defense preparation and continuity of counsel and based on a finding by the Court that the ends of justice served by granting a continuance outweigh the best interest of the public and defendant in a speedy trial

DATED: February 22, 2007


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE